IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

R.F.A. No. 2539 of 2001 (O&M)

Date of Decision: 26.10.2010

State of Haryana and another .... Appellants

vs.

Vishwa Pal .... Respondent

Coram : Hon'ble Mr. Justice Rajesh Bindal

Present:- Mr. Ashish Gupta, Assistant Advocate General, Haryana.

None for the landowners.

RAJESH BINDAL, J

This order will dispose of RFA Nos. 2539, 3165 and 4687 of 2001 as the same arise out of common acquisition.

The landowner has filed appeal seeking enhancement of compensation for the acquired land whereas by filing appeals the State is seeking reduction of compensation.

Briefly the facts are that vide notification dated 2.3.1993 under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') the State of Haryana acquired land in the revenue estates of villages Nizampur, Sarai Bachhra, Ajizullapur, Patti Magdum Jadgan, Patti Taraf Insar, Faridpur, Tehsil and District Panipat, for development and utilization thereof as residential, commercial and institutional area for Sector-18, Panipat. The Land Acquisition Collector awarded different rates for the land pertaining to different villages. Dissatisfied with the award of the Collector, the land owners filed objections, which were referred to learned Court below who on the basis of material placed on record by the parties, determined market value of the acquired land @ ₹ 185.60 per square yard. Aggrieved against the award of learned Court below, the landowners as well as the State are in appeal before this Court.

Learned counsel for the State very fairly conceded that the issues raised in the present set of appeals are squarely covered by a Division Bench judgment of this court in RA No. 84/CI of 2007 in RFA No. 2600 of 2001 *Bahadur Chand vs State of Haryana and another*, decided on 5.8.2008, whereby the compensation payable to the landowners for the acquired land was further enhanced to ₹ 206/- per square yards.

Since this court had further enhanced the compensation payable to the landowners, the claim of the State for reduction does not survive. Accordingly, the appeals filed by the State seeking reduction of compensation are dismissed and that of the landowner is disposed of in terms of the aforesaid judgment.

26.10.2010. **(Rajesh Bindal)**
vs. **Judge**